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October 28, 2011

Via United States Parcel Service
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Chief, Voting Section
Civil Rights Division
Room 7254 - NWB
United States Department of Justice
1800 G Street, N.W.
Washington, D.C. 20006

SECTION 5 SUBMISSION

NO. 2011-4261

**RE: Submission of Sumter County Board of Education
Pre-Clearance of Redistricting Plan Under 2010 Census
Submission Under Section 5 of the Voting Rights Act
Your File No. 2011-4261
Our File No. 8421/994J**

Gentlemen:

This firm represents the Sumter County Board of Education, and this submission is made on behalf of that entity.

During its 2011 Special Session, the Georgia General Assembly passed Senate Bill 4EX, which establishes new districts for Members of the Board of Education of Sumter County based upon the 2010 census. The existing redistricting plan, based upon the 2000 decennial census, was approved and was pre-cleared by the United States Department of Justice in 2002. The new redistricting plan for which pre-clearance is sought, is known as plan name SumterCCSB-2011.

Background Information:

In the 2011 regular session of the Georgia General Assembly, local legislation was adopted on behalf of the Sumter County Board of Education that began the process of reducing the size of the Board from nine members to seven members over two election cycles. As part of that legislation, the Board of Education is to have five election districts with five members, and two Board of Education Members are to be elected from the county at large, for a total of seven members. The five election districts for the Board of Education are to be the same as the five election districts for the Sumter County Board of Commissioners, mainly to reduce confusion

**PLAINTIFF'S
TRIAL EXHIBIT**

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and complications at the ballot box. In addition, the two at-large members were added to match the redistricting structure adopted by the Sumter County Board of Commissioners. The legislation was adopted, as stated, during the regular 2011 session of the Georgia General Assembly as Senate Bill 154, and has been previously submitted to your office for pre-clearance under Section 5 of the Voting Rights Act of 1965, as amended. (File No. 2011-3249).

As far as the specific redistricting plan under the 2010 census that is being submitted for pre-clearance, all of the five districts are single-member districts with staggered terms of four years each. A chairperson is elected by the Board from its membership and does not have to be one of the members elected at-large.

Under the 2000 census, Sumter County had a total population of 33,200 persons, of which 16,276 (49.02%) were African American. The 2000 census voting age population (VAP) for Sumter County was 23,968, of which 10,715 (44.71%) were African American. Under the 2010 census, Sumter County had a total population to 32,819 persons, of which 17,200 (52.41%) were African American. The 2010 census VAP for Sumter County was 24,518, of which 11,884 (48.47%) were African American. According to the total population figures, each of the five Board of Education districts should contain 6,563 people to the extent possible.

A copy of the breakdown of black and white voters in the nine districts approved after the 2000 decennial census, which is attached hereto as a part of Exhibit "A," shows that under the 2000 census there were three majority black districts with the black VAP in excess of 67% (District 4 District 8, and District 9), there was one district (District 1) with a black VAP of 50.23%, and the remaining five districts had a majority white VAP. Nevertheless, six African Americans currently hold seats on the Board even though only four districts have a majority black VAP.

Under the 2010 redistricting plan, which is the subject of this submission, the reduction from nine members to seven members means that there will be two districts (District 1 and District 5) which have African American populations in excess of 63%. There will be one African American influenced district (District 4) with a black VAP of 44.24%. The remaining two districts (District 2 and District 3) have a black VAP of 30.51% and 36.42%, respectively.

It should be noted that African Americans in Sumter County have succeeded in being elected to the School Board, even in districts where the black VAP is less than 50%. For example, in the 2010 general election, Mr. Kelvin Pless, a black man, defeated Donna Minich, a white woman and the incumbent, in the District 3 Board of Education race. Under the 2000 redistricting plan, District 3 had a 45.76% black VAP. Despite this apparent disadvantage, Mr. Pless defeated the incumbent and won the election with over 55% of the total votes cast.

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Given the fact that Sumter County now has a black VAP of 48.47%, it certainly becomes logical that two out of the five new districts would have a black VAP in excess of 63%, while one district would serve as an influence district with a black VAP of 44.24%. The population deviations for the five new districts are -2.00%, 1.39%, -0.26%, 1.77%, and -0.84%, and are, therefore, within allowable deviation limits.

Approval of Plan At Local and State Levels

The redistricting plan as passed by the General Assembly and as submitted for pre-clearance was approved by the Sumter County Board of Education by a 4-3 vote. In doing so, the Board adopted a Resolution requesting introduction of the redistricting plan as local legislation during the 2011 Special Session of the Georgia General Assembly. The Board undertook to receive input from the public with respect to the plan with at least two public hearings regarding the redistricting plans prior to the plan being adopted by the local Board. In addition, the redistricting plans were displayed in various public locations around Sumter County during the month prior to the adoption of the redistricting plan by the local Board. Further, the Sumter County Board of Commissioners also held several public hearings regarding the redistricting plan since the actual redistricting plan for the Sumter County Board of Commissioners is the same as the redistricting plan for the Sumter County Board of Education. At the State level, the legislation was introduced as Senate Bill 4EX and was approved by the Georgia Senate on August 25, 2011. It was approved by the Georgia House on August 31, 2011 and was signed by the Governor on September 21, 2011. It was designated as Act 7EX.

None of the districts that constitute the submitted plan were drawn based solely upon racial consideration; however, race was taken into account in connection with the overall population for Sumter County. This redistricting plan embarks the Board of Education upon a new course as a result of the reduction of membership on the Board from nine members to seven members over the next two election cycles. It would appear that any time there is a reduction in the total number of members of a Board, such as the Sumter County Board of Education, there would be a substantial change not only in the number of persons represented by each elected Board member, but also in the districts they represent because of the different geographic configurations required for a five member Board with two members elected at large as opposed to the required geographic configurations of a nine member Board with all members elected by district. It should be kept in mind that the reduction in size of the Board was approved by a unanimous vote of the Board of Education.

Finally, from a voter's perspective, the requirement that the five districts for the Board of Education and the 5 districts for the Board of Commissioners be the same from a geographical standpoint is a very important consideration. In the past, there has been a greater likelihood of

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voter confusion because districts for the two elected Boards were overlapping and inconsistent. Consolidating the districts for the two Boards so that a voter living in District 1 for Board of Commissioners purposes also lives in District 1 for Board of Education purposes cannot be overstated in importance for the voter and for encouraging voter participation on election day.

Enclosed Documentation

With respect to this submission, I am enclosing the documents listed on Exhibit "A" to this submission for your consideration.

Request For Expedited Consideration

We would respectfully request expedited consideration for this submission of your existing rules and regulations.

Thank you for your consideration, and, as always, if there is any other information that you would like to have provided, please let me know as soon as possible.

Very truly yours,



James M. Skipper, Jr.

JMSjr:bml
Enclosures

cc: Mr. Sam Olens, Attorney General, State of Georgia
Ms. Linda Ford, Director, Secretary of State Elections Division
Dr. Roy Brooks, Superintendent, Sumter County Board of Education

Exhibit "A"
Enclosed Documentation

<u>Exhibit</u>	<u>Description</u>
1	Senate Bill 4EX (Signed by the Governor on September 21, 2011)
2	Statistical information on Sumter County Board of Education Districts based on 2000 decennial census
3	Statistical information on Sumter County Board of Education Districts based on 2010 decennial census
4	Resolution of the Sumter County Board of Education Requesting the Local Legislative Delegation for Sumter county to Introduce a Sumter County Board of Education Redistricting Plan at a Special Session of the Georgia General Assembly in August, 2011 (Resolution adopted August 11, 2011)
5	Copy of "Notice of Intent to Introduce Local Legislation" which was published in the <i>Americus Times-Recorder</i> on August 12, 2011
6	Notice of Called Meeting of the Sumter County Board of Education on July 27, 2011
7	Notice of Called Meeting of the Sumter County Board of Education and the Sumter County Board of Commissioners on July 28, 2011
8	Maps of Proposed Districts with Overlay of Sum92cc (Plan: sumtercc-prop1, Type: Local)
9	List of names, addresses, and races of the current School Superintendent and each current member of the Sumter County Board of Education
10	Minutes of Called Meeting of the Sumter County Board of Education on July 27, 2011
11	Minutes of Regular Meeting of the Sumter Board of Education on August 11, 2011

Senate Bill 4EX

By: Senator Hooks of the 14th

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act revising and restating the law relating to the Sumter County board of
2 education and school superintendent, approved May 12, 2011 (Ga. L. 2011, p. 4020), so as
3 to change the description of the school board districts; to provide for definitions and
4 inclusions; to provide for election and terms of office of subsequent members; to provide for
5 submission of this Act for preclearance under the federal Voting Rights Act of 1965, as
6 amended; to provide for an effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act revising and restating the law relating to the Sumter County board of education and
10 school superintendent, approved May 12, 2011 (Ga. L. 2011, p. 4020), is amended by
11 striking Section 1 and inserting in lieu thereof the following:

12 "SECTION 1.

13 The purpose of this Act is to revise and restate the law relating to the Sumter County board
14 of education and school superintendent. Provisions relating to the school superintendent and
15 the compensation of members of the board of education are restated from prior law without
16 substantial change. The number of members of the board of education will be reduced from
17 nine at the current time to seven for the year 2015 and future years. Over a phased schedule
18 five members will be elected from the school board districts provided for in this Act and two
19 members of the board will be elected from Sumter County at large."

20 **SECTION 2.**

21 Said Act is further amended by striking Section 3 and inserting in lieu thereof the following:

22 "SECTION 3.

23 (a) For purposes of electing members of the board of education, the Sumter County School
24 District is divided into five school board districts. One member of the board shall be
25 elected from each such district. The five school board districts shall be and correspond to

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26 those five numbered districts described in and attached to and made a part of this Act and
 27 further identified as 'Plan Name: sumtercesb-2011 Plan Type: Local User: bak'.

28 (b)(1) When used in such attachment, the term 'VTD' (voting tabulation district) shall
 29 mean and describe the same geographical boundaries as provided in the report of the
 30 Bureau of the Census for the United States decennial census of 2010 for the State of
 31 Georgia.

32 (2) The separate numeric designations in a district description which are underneath a
 33 VTD heading shall mean and describe individual Blocks within a VTD as provided in the
 34 report of the Bureau of the Census for the United States decennial census of 2010 for the
 35 State of Georgia. Any part of the Sumter County School District which is not included
 36 in any such district described in that attachment shall be included within that district
 37 contiguous to such part which contains the least population according to the United States
 38 decennial census of 2010 for the State of Georgia.

39 (3) Any part of the Sumter County School District which is described in that attachment
 40 as being in a particular district shall nevertheless not be included within such district if
 41 such part is not contiguous to such district. Such noncontiguous part shall instead be
 42 included within that district contiguous to such part which contains the least population
 43 according to the United States decennial census of 2010 for the State of Georgia.

44 (4) Except as otherwise provided in the description of any education district, whenever
 45 the description of such district refers to a named city, it shall mean the geographical
 46 boundaries of that city as shown on the census map for the United States decennial census
 47 of 2010 for the State of Georgia.

48 (c) At the general election in 2012 and quadrennially thereafter a total of four members of
 49 the board of education shall be elected as follows: three members elected from School
 50 Board Districts 1, 3, and 5 for terms of four years and one member elected from Sumter
 51 County at large for a term of four years, leaving the size of the school board at nine
 52 members for the years 2013 and 2014. A quorum of the board shall be five members until
 53 January 1, 2015.

54 (d) At the general election in 2014 and quadrennially thereafter a total of three members
 55 of the board of education shall be elected as follows: two members elected from School
 56 Board Districts 2 and 4 and one member elected from Sumter County at large, leaving the
 57 size of the school board at seven members for the year 2015 and all future years. A quorum
 58 of the board shall be four members on and after January 1, 2015."

59 SECTION 3.

60 The Board of Education of Sumter County shall through its legal counsel cause this Act to
 61 be submitted for preclearance under the federal Voting Rights Act of 1965, as amended; and

62 such submission shall be made to the United States Department of Justice or filed with the
63 appropriate court no later than 45 days after the date on which this Act is approved by the
64 Governor or otherwise becomes law without such approval.

65 **SECTION 4.**

66 This Act shall become effective upon its approval by the Governor or upon its becoming
67 effective without such approval.

68 **SECTION 5.**

69 All laws and parts of laws in conflict with this Act are repealed.

11

LC 34 3132

70 Plan: sumtercesb-2011

71 Plan Type: Local

72 User: bak

73 District 001

74 Sumter County

75 VTD: 26115 - LESLIE

76 2013

77 VTD: 26128 - CHAMBLISS

78 VTD: 26129 - ANDERSONVILLE

79 VTD: 261C1-27 - REES PARK

80 2014 2016 2018 2019 2020 2021 2022 2023 2028 2035 2036 2049

81 2050 2051 2052 2053 2054 2055 2056 2057 2071 2075 2076 2077

82 3008 3018 3026 3027 3028 3029 3030 3031 3033 3034 3035 3036

83 3039 3040 4000 4004 4005 4006 4007 4008 4009 4010 4011 4012

84 4013 4014 4015 4016 4017 4018 4019 4020 4021 4022 4023 4024

85 4025 4026 4027 4030

86 1025 1027 1029 1030 1031 1032 1033 1036 1037 1067

87 1002 1003 1004 1005 1022 1023 1024

88 VTD: 261C3-27 - REC DEPT

89 4028 4029

90 1052 1053 1055 1058 1059 1060 1061 1062 1076

91 1006 1007 1008 1009 1010 1011 1012 1013 1014 1020 1021 1039

92 1040

93 VTD: 261E-27 - AIRPORT

94 2006 2007 2008 2009 2010 2011 2012 2031 2032 2033 2034 2037

95 2038 2043 2045 2047 2048 2058 2059 2060 2072 2078 3000 3001

96 3003 3004 3007 3016 3017 3041

97 VTD: 261W-27 - AG CENTER

98 2017 2024 2025 2026 2027 2029 2030 4001 4002 4003

99 1001 1002 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014

100 1015 1028 1035 1038 1039 1040 1041 1042 1043 1044 1045 1046

101 1047 1048 1049 1050 1051 1054 1056 1057 1063 1064 1065 1066

102 1068 1073 1075

103 District 002

104 Sumter County

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105 VTD: 261C1-27 - REES PARK
 106 1012 1015 1016 1017 1018 1019 1020 1021 1022 1023 1025 1026
 107 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040
 108 1041 1042 2044 2046 2062 2063 2064 2069 2070 3002 3005 3006
 109 3009 3010 3011 3012 3013 3014 3015 3019 3020 3032 3038
 110 1000 1001 1025 1026 1027 1028 1029 1030 1031 1036 1037 1038
 111 2014 2016 2017 3000 3010 3026 3027
 112 VTD: 261C2-27 - GSW CONF CENTER
 113 1008 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024
 114 1025 1027 1028 1029 1030 1031 1032 2021 2022 2023 2024 2025
 115 2026 2027 2030 2036 2037 2038 2039 2040 2041 2042
 116 2017 2018 2019 2020 2025 2026 3012 3016 3018 3019 3020 3021
 117 3022 3023 3024 3025
 118 1017 1018 1020 1021 1022 2030 4029 4030 4031 4032 4033 4034
 119 4035
 120 VTD: 261C3-27 - REC DEPT
 121 1018 1019 1032 1033 1034 1035 3000 3001 3002 3003 3004 3005
 122 3006 3007 3009 3010 3011
 123 VTD: 261E-27 - AIRPORT
 124 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1013
 125 1014 1024 1027 2039 2040 2041 2042 2061 2065 2066 2067 2068
 126 2074 3021 3022 3023 3024 3025 3037
 127 2008 2009 2010 2011 2012 2013 2015 2018 2019 2020 2021 2022
 128 2023 2024 2025 2026 2027 2028 2029 2031 2032 2033 2034 2035
 129 2036 2037 2038 2043 2044 3025 4000
 130 VTD: 261W-27 - AG CENTER
 131 2028

 132 District 003
 133 Sumter County
 134 VTD: 26115 - LESLIE
 135 3026 3027 3028 3029 3030
 136 1020 1024 1052 1053 1054 1065 1068 1069 1075
 137 VTD: 26117 - THOMSON
 138 VTD: 261C2-27 - GSW CONF CENTER
 139 1003 1004 1005 1006 1007 1009 1010 1011 1012 1013 2001 2002
 140 2004 2005 2035

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141 2004 2005 2008 2013 2014 2015 2016 2021 2022 2023 2024 2027
 142 1029 1030 1040 1041
 143 VTD: 261E-27 - AIRPORT
 144 2031 2032 2033 2034 2043 2044 2045 2046 2047 2048
 145 1013 1050
 146 VTD: 261N-26 - CONCORD
 147 VTD: 261O-26 - PLAINS
 148 VTD: 261W-27 - AG CENTER
 149 2000 2001 2002 2003 2004 2005 2006 2049
 150 3016
 151 1026 2003 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015
 152 2016 2017 2018 2019 2020 2029 3000 3001 3002 3003 3004 3005
 153 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015 3016 3075

 154 District 004
 155 Sumter County
 156 VTD: 26115 - LESLIE
 157 1035 1036 1037 1043 1044 1045 1046 1047 1048 1049 1051 1052
 158 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 159 1012 1013 1014 1015 1016 1017 1018 1019 1021 1022 1023 1025
 160 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037
 161 1038 1039 1040 1041 1042 1043 1044 1045 1046 1047 1048 1049
 162 1050 1051 1055 1056 1057 1058 1059 1060 1061 1062 1063 1064
 163 2000 2001 2006 2007 2008 2009 2010 2011 2012 2014 2015 2016
 164 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028
 165 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040
 166 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052
 167 2053 2054 2055 3000 3001 3002 3003 3004 3005 3006 3007 3008
 168 3009 3010 3011 3012 3013 3014 3015 3016 3017 3018 3019 3020
 169 3021 3022 3023 3024 3025 3026 3027 3028 3029 3030 3031 3032
 170 3033 3034 3035 3036 3037 3038 3039 3040 3041 3042 3043 3044
 171 3045 3046 3047 3048 3049 3050 3051 3052 3053 3054 3055 3056
 172 3057 3058 3059 3060 3061 3062 3063 3064 3065 3066 3067 3068
 173 3069 3070 3071 3072 3073 3074 3075 3076
 174 VTD: 261C1-27 - REES PARK
 175 3008 3013 3014 3015 3017
 176 3001 3002 3003 3004 3005 3006 3007 3008 3009 3011 3012 3013

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177 3014 3015 3016 3017 3032 3042
 178 VTD: 261C2-27 - GSW CONF CENTER
 179 1001 1009 1010 1011 1014 1015 1016 1019 1026 1039 3018 3019
 180 3020 3028 3029 3030 3031 3033 3039 3040 3041 3045 4002 4003
 181 4004 4006 4007 4008 4009 4010 4011 4012 4013 4014 4015 4016
 182 4017 4018 4019 4020 4021 4023 4024 4025 4026 4028
 183 VTD: 261E-27 - AIRPORT
 184 1000 1002 1003 1004 1005 1006 1007 1008 1012 1023 1024 1025
 185 1027 1028 1031 1032 1033 1034 1038 1042 3021 3022 3023 3024
 186 3034 3035 3036 3037 3038 3043 3044 4001 4005 4022 4027

 187 District 005
 188 Sumter County
 189 VTD: 261C2-27 - GSW CONF CENTER
 190 2006 2007 2009 2010 2011 2012
 191 VTD: 261C3-27 - REC DEPT
 192 1069 1070 1071 1072 1074 1077 1078 1079 2010 2014 2016 2018
 193 2023 2025 2026 2028 2029 2030 2031 2033 2036 2037 2038 2040
 194 2042 2046 2051 2052 2053 2054 2055 2056 2057 2059 2063 2064
 195 2065 2067 2069 2070 2071 2072 2073 2074 3000 3001 3002 3003
 196 3004 3005 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015
 197 3016 3017 3018 3019 3020 3021 3022 4000 4001 4002 4003 4004
 198 4005 4006 4007 4008 4009 4010 4011 4012 4013 4014 4015 4016
 199 4017 4018 4019 4020 4021 4022 4023 4024 4025 4026 4027 4028
 200 4029 4030 4031 4032 4033 4034 4035 4036 4037 4038 4039 4040
 201 4041 4042 4043 4044 4045 4046 4047 4048 4049 4050 4051 4052
 202 4053 4054 4055 4056 4057 5000 5001 5003 5006 5007 5008 5009
 203 5010 5011 5026 5027 5028 5029
 204 1000 1001 1002 2000
 205 1015 1016 1017 2000 2001 2002 2003
 206 VTD: 261W-27 - AG CENTER
 207 2007 2008 2009 2011 2012 2013 2015 2017 2019 2020 2021 2022
 208 2024 2027 2032 2034 2035 2039 2041 2043 2044 2045 2047 2048
 209 2050 2058 2060 2061 2062 2066 2068 5002 5004 5005 5012 5013
 210 5014 5015 5016 5017 5018 5019 5020 5021 5022 5023 5024 5025
 211 5030 5031 5032 5033 5034 5035 5036 5037 5038 5039 5040 5041

S. B. 4EX

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Plan Name: SUMTERSB2

Plan Type: Local

User: staff

Administrator: Sumter Co.

DISTRICT	POPULATION	DEVIATION	% DEVIATION	BLACK	% BLACK	BLACK COMBO	TOTAL BLACK	%TOTAL BLACK	HISP. OR LATINO	%HISP.
001		-73	-1.98%	1,911	52.86%	8	1,919	53.08%	146	4.04%
	VAP			1,308	50.23%	2	1,310	50.31%	103	3.96%
002		62	1.68%	725	19.33%	11	736	19.63%	67	1.79%
	VAP			587	18.42%	7	594	18.64%	49	1.54%
003		183	4.96%	1,966	50.79%	13	1,979	51.12%	119	3.07%
	VAP			1,258	45.43%	9	1,267	45.76%	81	2.93%
004		-38	-1.03%	2,503	68.58%	3	2,506	68.66%	74	2.03%
	VAP			1,747	67.24%	0	1,747	67.24%	44	1.69%
005		-79	-2.14%	465	12.88%	1	466	12.91%	90	2.49%
	VAP			297	11.22%	1	298	11.26%	67	2.53%
006		158	4.28%	931	24.21%	7	938	24.39%	91	2.37%
	VAP			623	21.59%	3	626	21.69%	52	1.80%
007		78	2.11%	1,564	41.53%	12	1,576	41.85%	183	4.86%
	VAP			991	37.02%	7	998	37.28%	126	4.71%
008		-178	-4.83%	3,049	86.87%	8	3,057	87.09%	65	1.85%
	VAP			1,915	84.10%	4	1,919	84.28%	44	1.93%
009		-105	-2.85%	3,162	88.25%	20	3,182	88.81%	56	1.56%
	VAP			1,989	85.59%	8	1,997	85.93%	34	1.46%

Total Population: 33,200

Ideal Value: 3,688

Summary

Population Range: 3,510 to 3,871

Absolute Range: -178 to 183

Absolute Overall Range: 361

Relative Range: -4.83% to 4.96%

Relative Overall Range: 9.79%

EXHIBIT

2

Plan Name: **sumtercc-prop1-2010TigerEdata**

Plan Type :

User: **admin**Administrator: **admin**

DISTRICT	POPULATION	DEVIATION	% DEVIATION	BLACK	% BLACK	BLACK COMBO	TOTAL BLACK	%TOTAL BLACK	HISP. OR LATINO	%HISP
001	6,432	-131	-2.00%	4,237	65.87%	40	4,277	66.50%	173	2.69%
VAP	4,524			2,835	62.67%	22	2,857	63.15%	105	2.32%
002	6,654	91	1.39%	2,303	34.61%	34	2,337	35.12%	497	7.47%
VAP	5,050			1,529	30.28%	12	1,541	30.51%	330	6.53%
003	6,546	-17	-0.26%	2,540	38.80%	38	2,578	39.38%	435	6.65%
VAP	4,953			1,793	36.20%	11	1,804	36.42%	270	5.45%
004	6,679	116	1.77%	3,184	47.67%	32	3,216	48.15%	435	6.51%
VAP	5,328			2,339	43.90%	18	2,357	44.24%	298	5.59%
005	6,508	-55	-0.84%	4,737	72.79%	55	4,792	73.63%	177	2.72%
VAP	4,663			3,294	70.64%	21	3,315	71.09%	95	2.04%

Total Population: 32,819

Ideal Value: 6,563

Summary Statistics

Population Range: 6,432 to 6,679

Absolute Overall Range: 247

Relative Range: -2.00% to 1.77%

Relative Overall Range: 3.76%

DATA SOURCE: 2010 US Census PL94-171 Population Cou



**RESOLUTION
OF THE SUMTER COUNTY BOARD OF EDUCATION
REQUESTING THE LOCAL LEGISLATIVE DELEGATION FOR SUMTER COUNTY
TO INTRODUCE A SUMTER COUNTY
BOARD OF EDUCATION REDISTRICTING PLAN
AT A SPECIAL SESSION OF THE GEORGIA GENERAL ASSEMBLY
IN AUGUST, 2011
TO PROVIDE FOR AN EFFECTIVE DATE;
TO PROVIDE FOR CONFLICTING RESOLUTIONS;
AND FOR OTHER PURPOSES**

WHEREAS, the 2010 Decennial Census has been completed and the results thereof have been submitted to the Sumter County Board of Education;

WHEREAS, under the Federal and State Constitution, the Board of Education Districts for elected members of the Sumter County Board of Education must be reapportioned in order to comply with the "one man - one vote" provisions of the Federal and State Constitutions; and

WHEREAS, the Board of Education is required by law to have the same five (5) election districts as the Sumter County Board of Commissioners and has received a proposed redistricting plan from the Sumter County Board of Commissioners which requested and obtained assistance regarding such reapportionment from the Legislative and Congressional Reapportionment Office in Atlanta; and

WHEREAS, such redistricting plan has been reviewed and discussed in several public meetings held by the Board of Education and has also been displayed at various public locations around Sumter County for public viewing and input prior to the adoption of this Resolution; and



WHEREAS, the Board of Education desires to submit a proposed and locally approved redistricting plan to the Sumter County delegation to the Georgia General Assembly so that such redistricting plan can be approved by the General Assembly and signed by the Governor at the upcoming special session of the Georgia General Assembly, which is scheduled to commence on August 15, 2011;

WHEREAS, the Board, after considering public input, the requirements of "one man - one vote", and other relevant matters, has determined the most appropriate redistricting plan for the Sumter County Board of Education and the citizens of Sumter County; and

NOW, THEREFORE, BE IT RESOLVED by the Sumter County Board of Education, and it is hereby resolved by authority of the same, as follows:

1. That the Board of Education hereby approves, by a vote of 4 to 3, that certain redistricting plan for the Sumter County Board of Education being formerly known as: Client: Sumter; Type: Local; Plan: sumtercc-prop1-2010TigerEdata. Notwithstanding the foregoing, the Board of Education and the Board of Commissioners of Sumter County have agreed that such plan shall be revised from a technical standpoint prior to its introduction in the upcoming Special Session of the General Assembly, and the proper name of the plan as revised has not yet been determined by the Legislative and Congressional Reapportionment Office. It is directed that the revised plan name shall be submitted to the local legislative delegation prior to the introduction of the proposed redistricting plan.

2. That the Board of Education hereby requests that the Legislative Delegation to the General Assembly representing Sumter County have drafted and introduced,

during the upcoming special session of the Georgia General Assembly, commencing August 15, 2011, the foregoing redistricting plan for passage by the General Assembly and signing by the Governor in the manner required for local legislation in the Georgia General Assembly.

3. That, upon approval of said local legislation by the General Assembly and the Governor, the School Board Attorney submit such redistricting plan to the United States Department of Justice for pre-clearance under Section 5 of the 1965 Voting Rights Act, as amended.

SO RESOLVED, this 11th day of August, 2011.

Sumter County Board of Education

By: Edith Ann Green
Chairman

Attest: Ray Brack
Secretary

120036

Cotwood Skipper Ranch

Friday, August 12, 2011

LO

Continued from page 1A

POOLE

mandated by the government to be in existence. We don't receive funding from the government and rely on our community to support us so that we can give back," he said.

Poole plans to take a place in the background as interim executive so that whomever is hired permanently in the position feels confident and can see that "we have the best staff in the nation behind them."

Poole enjoys the ability to give back to his fellow man through his job.

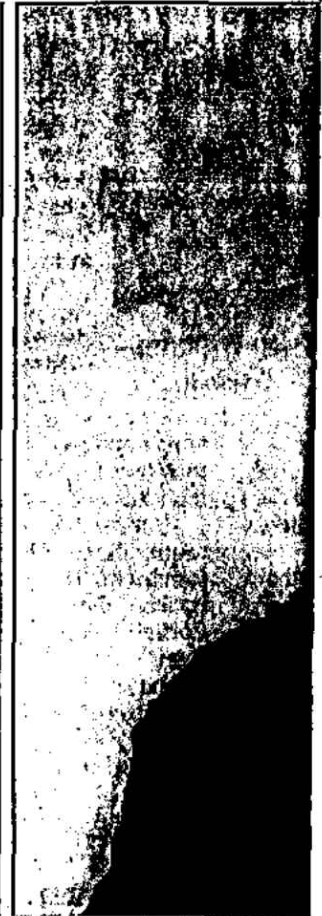
"The most rewarding part about working for the American Red Cross is helping my fellow man. My father taught me long ago to be a servant to my fellow man, that I am no better than anyone else, and if

there is a need to fill it.

"I had the honor to serve in the recent tornados in Northwest Georgia. I had prepared myself to encounter people that would need a shoulder to cry on or someone to talk to, for me to be the blessing they needed. I was surprised when I was the one who got the blessing. It was remarkable to see the people in that community work together to help each other out. I came back home and realized what all I took for granted. It was a humbling experience," he said.

The Flint River Chapter of the American Red Cross serves Atkinson, Baker, Berrien, Ben Hill, Calhoun, Clay, Clinch, Coffee, Crisp, Dooly, Dougherty, Early, Irwin, Lee, Macon, Miller, Randolph, Schley, Sumter, Terrell, Tift, Turner, Webster and Worth counties.

— Submitted



NOTICE OF INTENT TO INTRODUCE LOCAL LEGISLATION

Notice is given that there will be introduced at a Special Session of the Georgia General Assembly commencing on August 15, 2011, a bill to amend an Act providing for the reapportionment of the Sumter County Board of Education member election districts in accord with the 2010 decennial census, and for other purposes.

THIS, the 11th day of August, 2011..

SUMTER COUNTY BOARD OF EDUCATION

688997

EXHIBIT

5



SUMTER COUNTY BOARD OF EDUCATION

CALLED MEETING

JULY 27, 2011

6:00 P.M.

A G E N D A

- I. CALL TO ORDER, INVOCATION, PLEDGE
- II. ADOPTION OF AGENDA
- III. DISCUSSION OF PROPOSED REDISTRICTING PLAN
- IV. ADJOURNMENT



Subject: Special Called Meeting - Redistricting

From: Rayetta Floyd <RFloyd@sumtercountyga.us>

To: markwaddell@sbandtbank.com <markwaddell@sbandtbank.com>, randy.howard@gema.ga.gov
<randy.howard@gema.ga.gov>, Andrea P.F. Brooks <ABrooks@sumtercountyga.us>
Lynn Taylor <LTaylor@sumtercountyga.us>, William NeSmith <WNeSmith@sumtercountyga.us>,
Cc: Sherry Ratliff <SRatliff@sumtercountyga.us>, awright@sumterschools.org
<awright@sumterschools.org>

Date: Monday, 07/25/2011 8:35 AM

Please respond and let me know if you will or will not be attending the meeting.

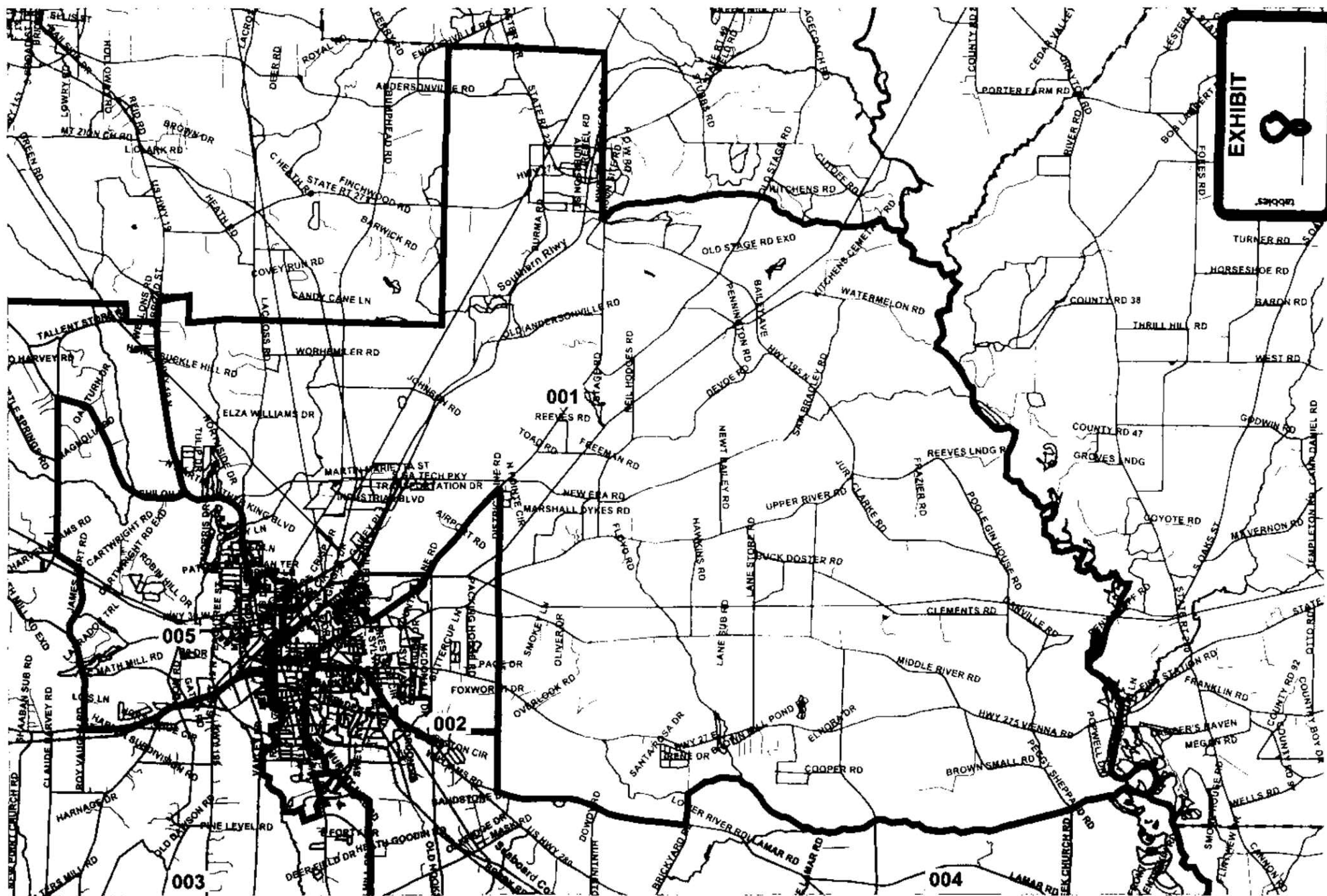
NOTICE:

Special Called Meeting

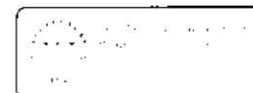
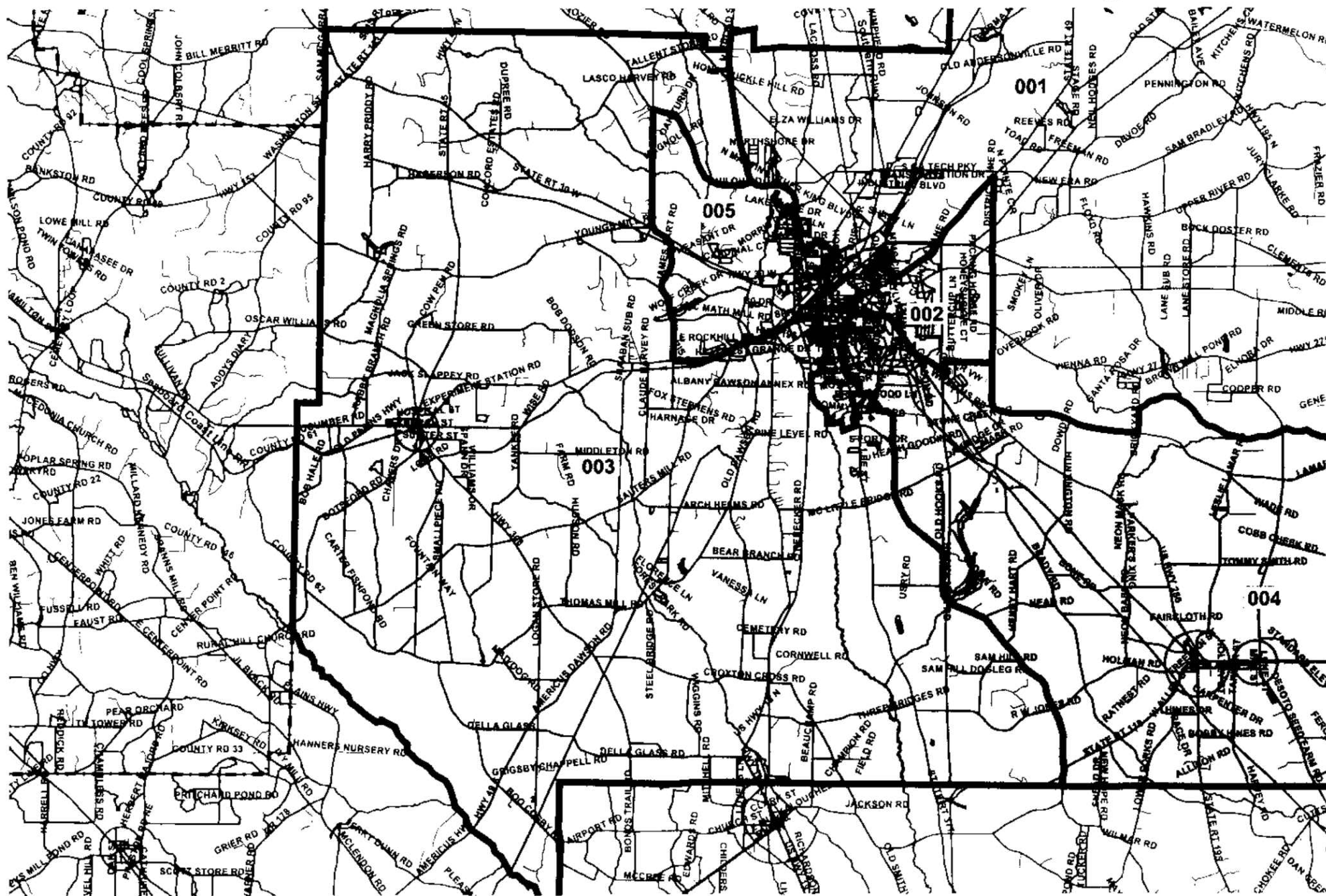
The Sumter County Board of Commissioners and the Sumter County Board of Education will have a special called meeting on Thursday, July 28, 2011 at 6:00 PM at the Sumter County Agriculture Center Cooperative Extension Office located at 127 William Bowen Pointe to discuss options in redistricting. Other matters appropriately brought before the Board of Commissioners will be considered at this time.

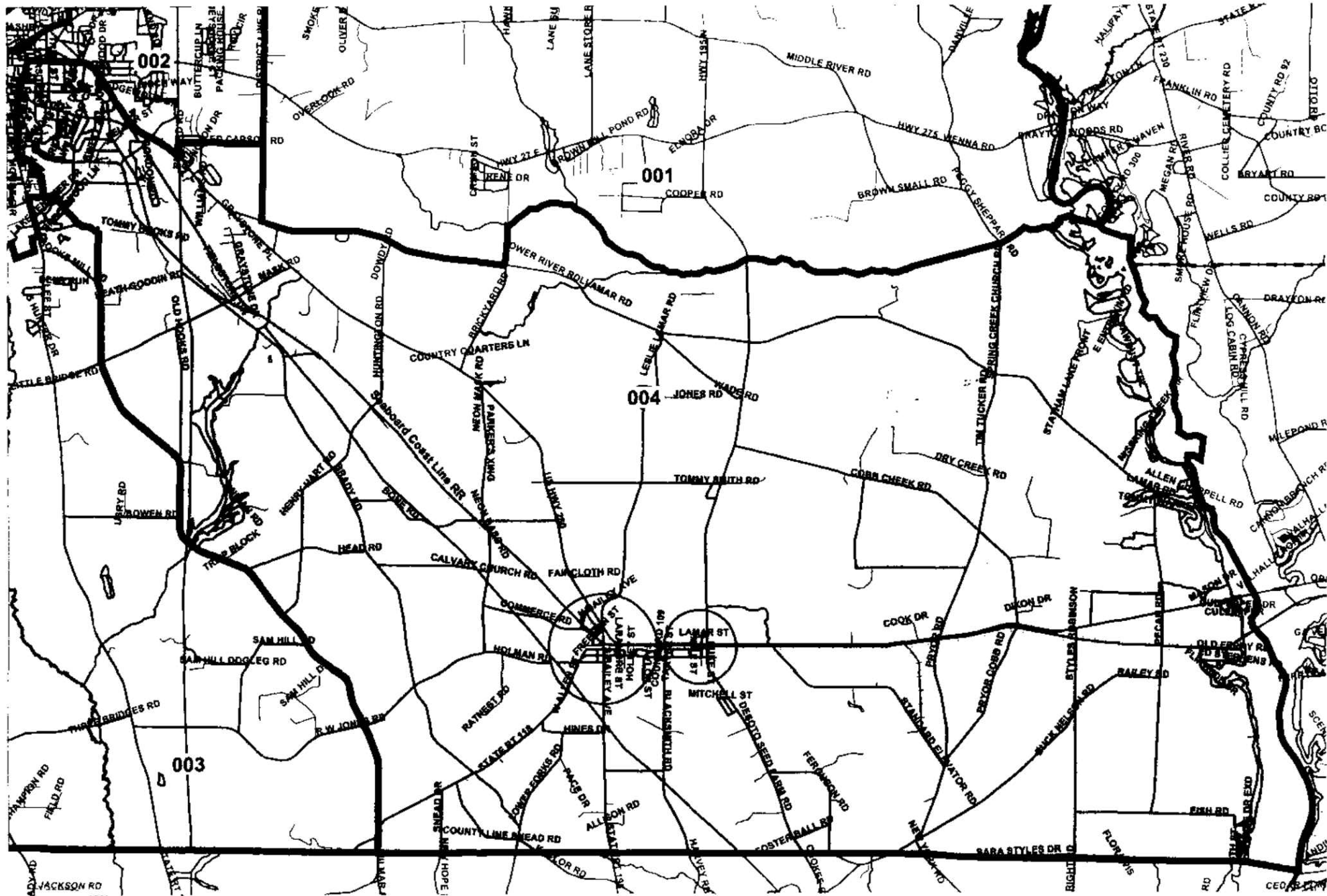
Rayetta Floyd, County Clerk
P.O. Box 295
500 West Lamar Street
Americus, GA 31709
(229) 928-4500 x. 1146
(229) 928-4503 - FAX
rfloyd@sumtercountyga.us
www.sumtercountyga.us

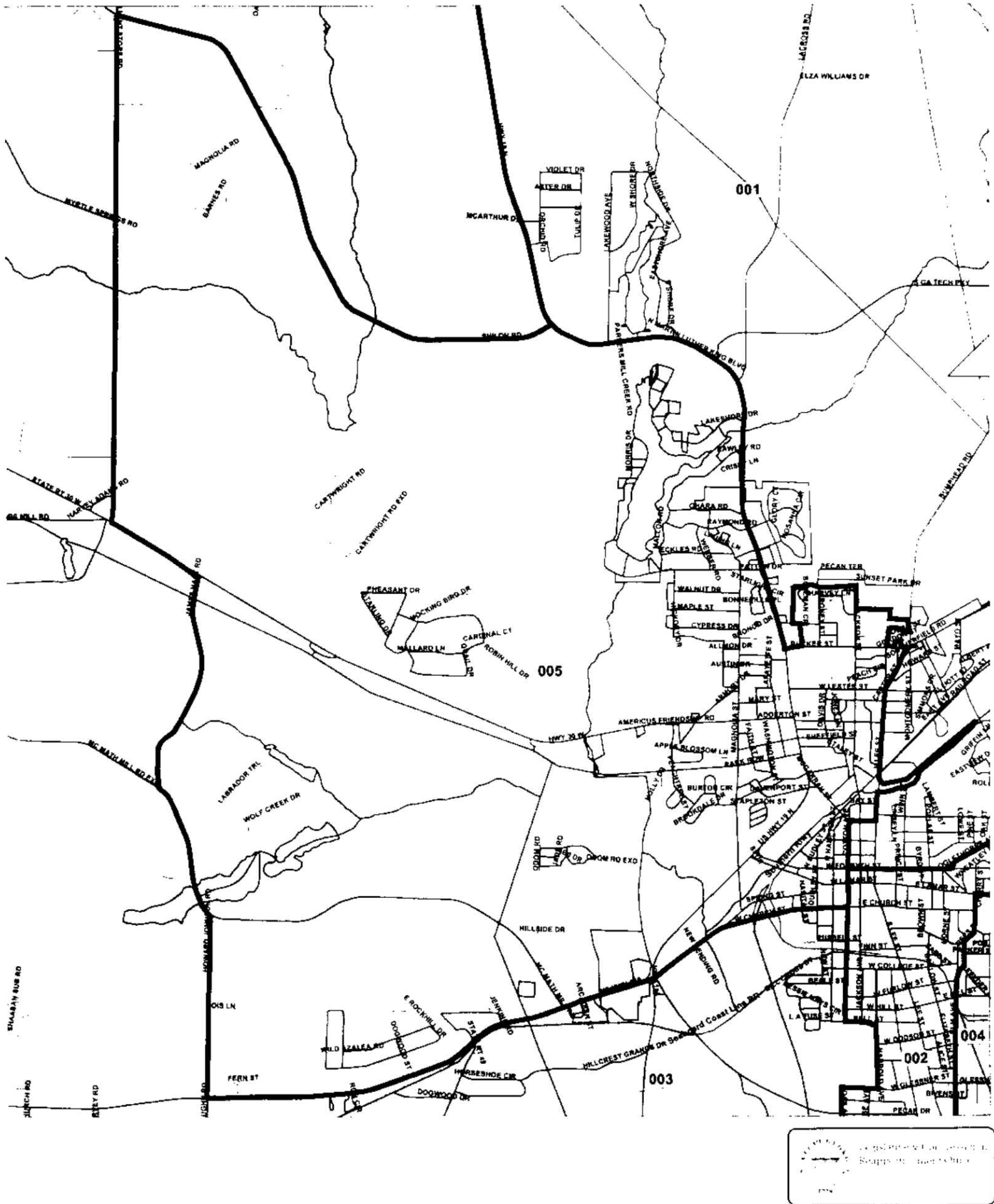














SUMTER COUNTY BOARD OF EDUCATION

District 1 Carolyn Whitehead
 (b)(7)(C)
 Leslie, GA 31764
 Race: Black

District 6 Michael Mock
 (b)(7)(C)
 Americus, GA 31719
 Race: Caucasian

District 2 Meda Krenson
 (b)(7)(C)
 Americus, GA 31709
 Race: Caucasian

District 7 Michael Lewis
 (b)(7)(C)
 Americus, GA 31709
 Race: Black

District 3 Kelvin Pless
 (b)(7)(C)
 Americus, GA 31709
 Race: Black

District 8 Edith Ann Green
 (b)(7)(C)
 Americus, GA 31719
 Race: Black

District 4 Willa Fitzpatrick
 (b)(7)(C)
 Plains, GA 31780
 Race: Black

District 9 Alice Green
 (b)(7)(C)
 Americus, GA 31709
 Race: Black

District 5 Michael Busman
 (b)(7)(C)
 Americus, GA 31719
 Race: Black

Dr. Roy Brooks, Supt.
 Sumter County Schools
 (b)(7)(C)
 Americus, GA 31719
 Race: Black



SUMTER COUNTY BOARD OF EDUCATION

CALLED MEETING

JULY 27, 2011

The called meeting of the Sumter County Board of Education was called to order by Chairperson, Edith Ann Green with the following other members present: Carolyn Whitehead, Michael Busman, Willa Fitzpatrick, Alice Green, Meda Krenson, Michael Mock, and Kelvin Pless.

Member absent: Mr. Daniel Lopez

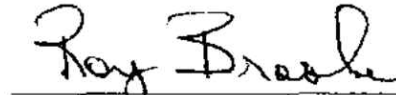
Visitor: Mr. Jimmy Skipper, Board Attorney

The agenda was unanimously approved on a motion by Mr. Mock; second by Mr. Pless.

The Board held discussions about the proposed redistricting plan.

There being no further business, the meeting was unanimously adjourned at 6:52 p.m. on a motion by Dr. Busman; second by Mr. Mock.


Chairman


Superintendent



SUMTER COUNTY BOARD OF EDUCATION

REGULAR MEETING

AUGUST 11, 2011

MINUTES

The regular meeting of the Sumter County Board of Education was called to order by Chairperson, Edith Green with the following other members present: Carolyn Whitehead, Michael Busman, Alice Green, Meda Krenson, Michael Mock, and Kelvin Pless.

Member absent: Willa Fitzpatrick

A moment of silence was observed.

The agenda was unanimously approved on a motion by Mr. Mock; second by Ms. Alice Green.

A motion was made by Ms. Alice Green; second by Ms. Whitehead to approve the consent agenda including the minutes of July 14, 26 & 27, 2011 and the following fund raisers, facility use requests and overnight field trips; motion carried unanimously.

FUND RAISERS

1. Sumter County Middle School's Rhythm and Rhyme Ensemble to sell candy, collectibles, various small gift items, pictures, CDs and DVDs August 1, 2011 through May 20, 2012.
2. Family Career and Community Leaders of America (FCCLA) to sell donuts August 22-30, 2011.
3. ASCHS-North to sell a variety of juice September 1 – October 1, 2011.
4. Future Business Leaders of Americus (FBLA) SCMS to sell donuts, water bottles, arts and crafts, and to sponsor yard sales and wash cars, September 1, 2011 – May 18, 2012.
5. FCCLA (ASCHS-North) to sell cookies, brownies and cupcakes Sept. 5 – Dec. 16, 2011.
6. ASCHS Baseball/Athletics to sell t-shirts, polo shirts, caps and jackets August 20, 2011 – May 20, 2012.
7. ASCHS Baseball/Athletics to request local businesses to sponsor each home game at a cost of \$300 per game, September 30, 2011 – April 30, 2012. The sponsor will receive 50 tickets to give to employees, customers or charitable organizations to attend the game sponsored. The sponsor will be able to set up a table or display promoting the business and will have the P.A. thank them throughout the game for sponsoring the game.
8. ASCHS Baseball/Athletics to sponsor a silent auction of donated sports items for purchase November 21, 2011.
9. ASCHS Baseball/Athletics to sponsor Alumni Day. (Donations from alumni baseball players to come back and be recognized on Legends Day. The former players and coaches from Americus, Sumter and Americus-Sumter will be recognized and play a softball game between the JV and Varsity game on that day.

CURRICULUM COMMITTEE

The following curriculum items were unanimously approved on a motion by Ms. Edith Green; second by Ms. Whitehead:

1. Memorandum of Understanding between Learning for Everyone, Inc. (LEAP) and Sumter County Board of Education
2. Memorandum of Agreement with Southwest Georgia Community Action Council
3. FY 2012 Comprehensive LEA Implementation Plans (CLIP) for Consolidated Application
4. FY 2012 Federal Program Budgets
5. Funds Application for 21st Century

EXHIBIT

11

Page 2 Con't Minutes of August 11, 2011

FINANCE COMMITTEE

The finance committee recommended approval of the accounts payables for July 2011 and the following cash flow report. The recommendation was unanimously approved.

Preliminary Cash Flow Report

	Balance on June 30, 2011	Incoming	Outgoing	Balance on July 31, 2011
Citizen's Bank- (General Fund)	\$2,617,643.45	\$4,885,001.99	\$4,426,150.26	\$3,046,495.18
Citizen's Bank- Construction 2007	\$187,060.53	\$1.27	\$100,295.00	\$86,766.80
Office of the State Treasury	\$4,001,363.05	\$427.22	\$2,000,000.00	\$2,001,790.27

PROPERTY COMMITTEE

The following matters were unanimously approved as recommended by the committee:

1. Begin the process to surplus 22 school buses
2. Commence accepting bids for the new roof at ASCHS-North Campus

OLD BUSINESS

A motion was made by Dr. Busman; second by Ms. Edith Green to the adoption of form to verify compliance with the Standards for Local Boards of Education; motion carried unanimously.

NEW BUSINESS

A motion was made by Dr. Busman; second by Mrs. Krenson to approve a resolution for the proposed redistricting; motion carried on the following vote: four in favor (Ms. Edith Green, Dr. Busman, Mrs. Krenson & Mr. Mock); three opposed (Ms. Whitehead, Ms. Alice Green & Mr. Pless).

A motion was made by Ms. Alice Green; second by Mr. Mock to enter into executive session for the purpose of discussing personnel matters; motion carried unanimously.

EXECUTIVE SESSION

After discussions of personnel matters; a motion was made by Ms. Alice Green; second by Mr. Pless to go back into open session.

PERSONNEL COMMITTEE

The following personnel recommendations were unanimously approved as presented by the committee:

Resignations:

(b)(7)(C) ASCHS-South,
effective; 7/12/2011
(b)(7)(C) 21st Century, effective; 7/18/2011
Teviar Sibert, Special Education Paraprofessional, Sumter Middle, effective;
7/27/2011
(b)(7)(C) Cherokee, effective; 8/19/2011
(b)(7)(C) - Grade 2, Sarah Cobb, effective; 8/12/2011

Employment:

(b)(7)(C) ASCHS- South, effective; 7/27/2011
(b)(7)(C) Sumter Elementary, effective; 7/28/2011
(b)(7)(C) ASCHS-South, effective; 7/27/2011
(b)(7)(C) Staley Middle, effective; 7/27/2011
(b)(7)(C) Staley Middle, effective; 7/27/2011
(b)(7)(C) Sumter Middle, effective; 7/27/2011
(b)(7)(C) Sumter Middle, effective; 7/27/2011
(b)(7)(C) ASCHS-South, effective; 7/27/2011
(b)(7)(C) Cherokee, effective; 7/27/2011
(b)(7)(C) ASCHS-North, effective; 7/27/2011
(b)(7)(C) Sumter Middle, effective; 7/27/2011
(b)(7)(C) ASCHS-North, effective; 8/08/2011
(b)(7)(C) ASCHS-South, effective; 8/22/2011

Page 3 Con't Minutes of August 11, 2011

Transfers:

(b)(7)(C) ASCHS-North to ASCHS-South, effective; 7/27/2011

(b)(7)(C) ASCHS-South to ASCHS-North, effective; 7/27/2011

(b)(7)(C) Cherokee/EIP to Sumter Primary/1st Grade,
effective; 7/27/2011

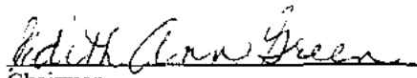
Salary Increase:

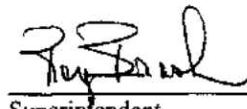
(b)(7)(C) /Sumter Middle to Lead Custodian/Sumter Middle, effective;
7/1/2011

2011-2012 Academic Supplements (All supplements were unanimously approved except
the supplement for (b)(7)(C))

Dr. Busman made a motion to approve the academic supplement for (b)(7)(C); second
by Mr. Mock; motion carried six in favor; one abstention ((b)(7)(C))

There being no further business, the meeting was unanimously adjourned at 8:40 p.m. on motion
by Dr. Busman; second by Mr. Mock.


Chairman


Superintendent

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UPS ACCOUNT NO. (b)(7)(C)

229-924-9316

ATEWOOD, SKIPPER, AND RAMBO

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AMERICUS

GA 31709 (b)(7)(C)

0101911202609 1/10 S

United Parcel Service, Louisville, KY

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INITIAL

DOCUMENTS
ONLY

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SHIPMENT
ID NUMBER

(b)(7)(C)

Not Confidential

Memorandum of Telephonic Communication

Date: 11/16/2011 **Attorney/Analyst:** JEM

File No.: 2011-3249/2011-4261

Other Party: James M. Skipper **Race:**

Tel. No.: 229-924-9316

Title/Organization: Counsel for the county

Jurisdiction: Sumter County School District, Sumter County, GA

Subject: 2011 redistricting plan

Left a brief message requesting a return call.

2:45 Mr. Skipper called and I asked that he provide me with the benchmark map using 2010 Census demographic data derived from census equivalency blocks. We only have maps for the proposed plan. He said he will check to see if this can be provided and he will get back with me.

11/23 Left detailed voice mail message requesting an update on the request for benchmark data.

11/23 Mr. Skipper called a left a voice mail advising he has requested the benchmark data from the state reapportionment office but has not heard back from them since. He had called today but left a message as no one answered the call. He will follow-up when he learns more.

12/5 I spoke with Mr. Skipper about having him submit the current plan with 2010 Census data overlaid. He has provided us with the current plan with 2000 Census data. He said this was too technical for him and he unsuccessfully attempted to place a conference call with his contact at the Georgia Reapportionment Office. He then said he would call back once he had the other party on the line.

Not Confidential

Memorandum of Telephonic Communication

Date: 12/6/2011 **Attorney/Analyst:** JEM

File No.: 2011-3249/2011-4261

Other Party: Brian Knight **Race:**

Tel. No.: 404-656-5063

Title/Organization: Georgia Reapportionment Office

Jurisdiction: Sumter County School District, Sumter County, GA

Subject: 2011 redistricting plan

Mr. Knight called at 4 p.m. on 12/5 and left a brief message requesting a return call.

12/6 8:45 I called and left a detailed voice mail message for Mr. Knight that included my telephone number and a request for the current benchmark plan for the School District with 2010 Census data. I explained what we had received contained 2000 Census data.

I spoke with Mr. Knight and explained what we needed. He advised he hoped to have the 2010 Census overlay on the current plan emailed to vot1973@usdoj.gov by the COB today. I explained time is becoming critical and expressed my appreciation for his timely response.

12/12 Left detailed message requesting 2010 Census data overlay on benchmark. I left my phone in case he has any questions, and the Voting Section email address, if he has the data ready to send.

12/13 I spoke with Tanya and left a detailed message requesting the status of the promised updated of the benchmark overlay with 2010 Census data. I also explained that time was of the essence and I cannot continue to wait for this information to arrive. She explained he was in a meeting until 11 a.m. and that she would give him my message at that time.

043751

Shaffer, Tracy L (CRT)

From: Jimmy Skipper [jskipper@americuslaw.com]
Sent: Friday, December 02, 2011 12:49 PM
To: vot1973c (CRT)
Subject: FW: Sumter County BOE Redistricting Justice Department File # 2011-3249
Attachments: SUMTERCCSB-2011-BLOCK EQUIV.DBF; SUMTERSB02-TIGER2010EDATA-BLOCK EQUIV.DBF

Mr. Joseph Murray – Here is the additional information that you requested in connection with the Sumter County Board of Education pre-clearance submission. I apologize that it has taken so long to get this information to you, but I just received it this morning from the Georgia Legislative & Congressional Reapportionment Office.

Please let me know if you need further information.

Jimmy Skipper
Gatewood, Skipper & Rambo, P.C.
410 W. Lamar ST.
Americus, GA 31709
229.924.9316

From: Knight, Brian [<mailto:Brian.Knight@legis.ga.gov>]
Sent: Friday, December 02, 2011 11:39 AM
To: jskipper@americuslaw.com
Subject: Sumter County Redistricting

Mr. Skipper,
Please find attached the block equiv file for the Sumter County proposed plan (sumterccsb-2011), as well as the existing Sumter School Board plan overlaid on the 2010 Census Geography (sumtersb02-tiger2010edata).
Please let me know if you have any additional questions or concerns.
Sincerely,
Brian

--

Brian A. Knight
Map Specialist
Legislative and Congressional Reapportionment Office
Suite 407
Coverdell Legislative Office Building
18 Capitol Square
Atlanta, Georgia 30334
(404) 656-5063
(404) 463-4103 fax
Legislative and Congressional Reapportionment <<http://www.legis.ga.gov/Joint/en-US/Reapportionment.aspx>>

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Shaffer, Tracy L (CRT)

From: Knight, Brian [Brian.Knight@legis.ga.gov]
Sent: Tuesday, December 13, 2011 5:32 PM
To: vot1973c (CRT)
Cc: Brian.Knight@legis.ga.gov
Subject: 2011-4261; Sumter County Georgia
Attachments: sumtersb02-tiger2010edata-stats sheet.pdf; sumtersb02-tiger2010edata-shapefile.zip; SUMTERSB02-TIGER2010EDATA-BLOCK EQUIV FILE.DBF

To the Attention of Mr. Joseph Murphy,

Mr. Murphy,

In follow-up to our earlier conversation; I am attaching a .pdf stats sheet of the existing Sumter County School Board plan with the 2010 Census Data overlaid on to it, notated in our office as 'sumtersb02-tiger2010edata'. Additionally, I am including a .dbf block equivalency file and a shapefile of the plan in advance of our conference call tomorrow in hope that it might provide additional data to your GIS Department.

I am committed to assisting you resolving any outstanding issues related to this or any other plan submitted to the Department.

Sincerely,
Brian

--

Brian A. Knight
Map Specialist
Legislative and Congressional Reapportionment Office
Suite 407
Coverdell Legislative Office Building
18 Capitol Square
Atlanta, Georgia 30334
(404) 656-5063
(404) 463-4103 fax
Legislative and Congressional Reapportionment <<http://www.legis.ga.gov/Joint/en-US/Reapportionment.aspx>>

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Plan Name: **sumtersb02-tiger2010eda**Plan Type : **local**User: **bak**Administrator: **sumter sb**

DISTRICT	POPULATION	DEVIATION	% DEVIATION	BLACK	% BLACK	TOTAL BLACK	%TOTAL BLACK	HISP. OR LATINO	%HISP
001	3,162	-484	-13.27%	1,616	51.11%	1,622	51.30%	169	5.34%
VAP	2,414			1,189	49.25%	1,193	49.42%	102	4.23%
002	3,766	120	3.29%	1,152	30.59%	1,168	31.01%	190	5.05%
VAP	3,127			863	27.60%	873	27.92%	133	4.25%
003	3,716	70	1.92%	1,923	51.75%	1,961	52.77%	339	9.12%
VAP	2,678			1,286	48.02%	1,295	48.36%	223	8.33%
004	3,769	123	3.37%	2,449	64.98%	2,473	65.61%	177	4.70%
VAP	2,821			1,778	63.03%	1,788	63.38%	115	4.08%
005	3,497	-149	-4.09%	626	17.90%	639	18.27%	166	4.75%
VAP	2,703			415	15.35%	421	15.58%	90	3.33%
006	3,789	143	3.92%	1,157	30.54%	1,173	30.96%	184	4.86%
VAP	2,945			825	28.01%	834	28.32%	108	3.67%
007	4,297	651	17.86%	1,952	45.43%	1,978	46.03%	354	8.24%
VAP	3,236			1,351	41.75%	1,362	42.09%	246	7.60%
008	3,174	-472	-12.95%	2,821	88.88%	2,852	89.86%	90	2.84%
VAP	2,181			1,927	88.35%	1,937	88.81%	51	2.34%
009	3,649	3	0.08%	3,305	90.57%	3,334	91.37%	48	1.32%
VAP	2,413			2,156	89.35%	2,171	89.97%	30	1.24%

Total Population: 32,819

Ideal Value: 3,646

Summary Statistics

Population Range: 3,162 to 4,297

Absolute Range: -484 to 651

Absolute Overall Range: 1,135

Relative Range: -13.27% to 17.86%

Relative Overall Range: 31.13%



U.S. Department of Justice

Civil Rights Division

TCH:RSB:JR:JEM:par
 DJ 166-012-3
 2011-3249
 2011-4261

Voting Section - NWB
 950 Pennsylvania Avenue, NW
 Washington, DC 20530

JAN 03 2012

James M. Skipper, Jr., Esq.
 Gatewood, Skipper & Rambo
 P.O. Box 488
 Americus, Georgia 31709

Dear Mr. Skipper:

Re: Your File Nos. 8421/770J and 8421/994J

This refers to Act No. 184 (SB 154) and Senate Bill 4EX (2011), which provide for the reduction in the number of trustees from nine to seven; a change in the method of election from nine to five single member districts coterminous with commissioner districts and two at-large seats; the implementation schedule and the change in the staggering of terms; and the resulting 2011 redistricting plan, for the Sumter County School District in Sumter County, Georgia, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973c. We received your submissions on November 1, 2011; additional information was received through December 13, 2011.

Our analysis indicates that the information sent is insufficient to enable us to determine that the proposed changes have neither the purpose nor will have the effect of denying or abridging the right to vote on account of race, color, or membership in a language minority group, as required under Section 5. The following information is necessary so that we may complete our review of your submission:

1. Election returns, by precinct, for all elections from 2002 to present, including primary, runoff, and general elections, in which a minority candidate has participated. For such each election, please provide the following:
 - a. each candidate's name, race, and office/position sought (indicate incumbent(s), if any, and whether incumbency was by election or appointment;
 - b. the number of votes, by voting precinct, that each candidate received, and the winners of each contest;
 - c. the total number of registered voters, by voting precinct and by race, at the time of each election identified above;
 - d. the total number of voters who cast a ballot, by voting precinct and by race, and

- e. the current number of registered voters, by race and by precinct.

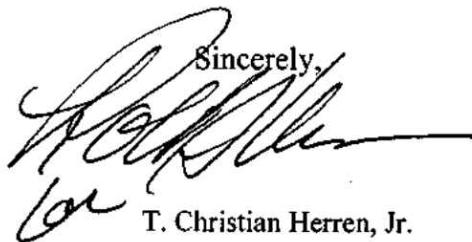
If exact numbers by race and party are not available for your responses above, provide your best estimate and the basis for that estimate. If available, please provide the data in electronic format (.dbf, .xls, or .txt files)

2. A detailed description of all efforts made by the county, both formal and informal, to secure the views of the public, including the minority community, regarding the proposed changes. Please provide the substance of any comments or suggestions received, both before and after the changes were adopted, the names and daytime telephone numbers of the persons making any such comments or suggestions, and the county's response, if any.
3. Copies of all newspaper articles, editorials, letters to the editor, and advertisements, as well as any other publicity that address or describe or discuss the process or proposed changes.
4. A listing of the current home address or other means to indicate the current residence of each incumbent trustee.
5. The factual basis for the county's conclusion that the proposed changes will not result in a retrogression in the level of minority voting strength in the school district.

The Attorney General has sixty days to consider a completed submission pursuant to Section 5. This sixty-day review period will begin when we receive the information specified above. Procedures for the Administration of Section 5 of the Voting Rights Act of 1965, 28 C.F.R. 51.37. However, if no response is received within sixty days of this request, the Attorney General may object to the proposed changes consistent with the burden of proof placed upon the submitting authority. 28 C.F.R. 51.40 and 51.52(a) and (c). Changes that affect voting are legally unenforceable unless and until the appropriate Section 5 determination has been obtained. *Clark v. Roemer*, 500 U.S. 646 (1991); 28 C.F.R. 51.10. Therefore, please inform us of the action the district plans to take to comply with this request.

If you have any questions concerning this letter or if we can assist you in obtaining the requested information, please call Joseph E. Murray (202-616-2340) of our staff. Refer to File Nos. 2011-3249 and 2011-4261 in any response to this letter so that your correspondence will be channeled properly.

Sincerely,



T. Christian Herren, Jr.
Chief, Voting Section



Civil Rights Division

TCH:RSB:JR:JEM:par
DJ 166-012-3
2011-3249
2011-4261

Voting Section - NWB
950 Pennsylvania Avenue, NW
Washington, DC 20530

October 17, 2011

James M. Skipper, Jr., Esq.
Gatewood, Skipper & Rambo
P.O. Box 488
Americus, Georgia 31709

Re: Your File No. 8421/770J

Dear Mr. Skipper:

This refers to Act No. 184 (SB 154) (2011), which provides for a change in the method of election from nine single member districts to five single member districts coterminous with commissioner districts and two seats at-large; a reduction in the number of trustees from nine to seven and the implementation schedule; and a change in the staggering of terms, for the Sumter County School District in Sumter County, Georgia, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973c. We received your submission on August 18, 2011; additional information was received on October 11, 2011.

We understand that the school board districting plan has been enacted and signed by the governor. Our records do not indicate that this change affecting voting has been submitted to the United States District Court for the District of Columbia for judicial review or to the Attorney General for administrative review as required by Section 5 of the Voting Rights Act of 1965. Accordingly, it must either be brought before that federal district court or submitted to the Attorney General for a determination that it has neither the purpose nor will have the effect of discriminating on account of race, color, or membership in a language minority group. Changes that affect voting are legally unenforceable unless and until the appropriate Section 5 determination has been obtained. *Clark v. Roemer*, 500 U.S. 646 (1991); Procedures for the Administration of Section 5 of the Voting Rights Act of 1965, 28 C.F.R. 51.10.

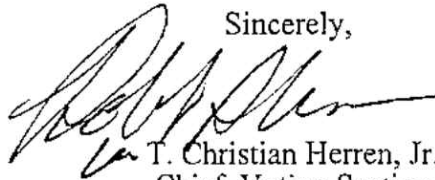
Because the changes now before us and the unsubmitted changes are directly related, they must be reviewed simultaneously. Accordingly, it would be inappropriate for the Attorney General to make a determination on the instant changes until the related changes have been submitted for Section 5 review. 28 C.F.R. 51.22(b) and 51.35.

Should you elect to make a submission to the Attorney General for administrative review rather than seek a declaratory judgment from the District Court for the District of Columbia, it should be made in accordance with Subparts B and C of the Procedures. At that time we will review all changes simultaneously; however, any documentation previously provided need not be resubmitted.

-2-

To enable us to meet our responsibility to enforce the Voting Rights Act, please inform us of the action the Sumter County School District plans to take concerning these matters. If you have any questions, you should call Joseph E. Murray (202-616-2340) of our staff. Refer to File Nos. 2011-3249 and 2011-4261 in any response to this letter so that your correspondence will be channeled properly.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Christian Herren, Jr.", written over a horizontal line.

T. Christian Herren, Jr.
Chief, Voting Section

Shaffer, Tracy L (CRT)

From: Barbara Luten [bluten@americuslaw.com]
Sent: Thursday, January 19, 2012 4:15 PM
To: vot1973c (CRT)
Cc: #1 Jimmy Skipper
Subject: Sumter County, Georgia Board of Education - File Nos. 2011-3249 and 2011-4261
Attachments: Justice Department (File Nos. 2011-3249 and 2011-4261)(1-19-12).pdf

Gentlemen:

Please see attached letter regarding our previous submissions for pre-clearance in the above referenced file numbers on behalf of the Sumter County, Georgia Board of Education.

If you have any questions, please contact James M. Skipper, Jr. at the address below or at his e-mail address of jskipper@americuslaw.com.

Thank you.

*Barbara M. Luten, Secretary
to Jimmy Skipper
Gatewood, Skipper & Rambo, P.C.
Post Office Box 488
410 West Lamar Street
Americus, Georgia 31709
Telephone: (229) 924-9316*

GATEWOOD, SKIPPER & RAMBO, P. C.

Attorneys at Law
410 WEST LAMAR STREET
POST OFFICE BOX 488
AMERICUS, GEORGIA 31709

JAMES C. GATEWOOD
JAMES M. SKIPPER, JR.
WILLIAM W. RAMBO
G. BARDIN HOOKS, JR.

TELEPHONE: (229) 924-9316
TELECOPIER: (229) 924-6248
REAL ESTATE FACSIMILE: (229) 931-9097

January 19, 2012

*Via e-mail: vot1973c@usdoj.gov
and via First Class United States Mail*

Chief, Voting Section
Civil Rights Division
Room 7254 - NWB
United States Department of Justice
1800 G Street, N.W.
Washington, D.C. 20006

Mr. T. Christian Herren, Jr.
Chief, Voting Section
U.S. Department of Justice
Civil Rights Division
Voting Section - NWB
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

**RE: Submission of Sumter County Board of Education
Pre-Clearance of Redistricting Plan Under 2010 Census
Submission Under Section 5 of the Voting Rights Act
Our File Nos. 8421/770J and 8421/994J
Your File Nos. 2011-3249 and 2011-4261**

Gentlemen:

By letter dated January 3, 2012, the Justice Department requested additional information regarding the above referenced files now pending in connection with pre-clearance submissions to the Justice Department on behalf of the Sumter County Board of Education. My office has prepared responses in order to provide you with the additional information which you requested.

However, please be advised that I was directed by a majority vote of the Sumter County Board of Education at a meeting held on January 18, 2012, that the School Board wishes to withdraw its submissions for pre-clearance of Senate Bill 154 and Senate Bill 4EX, both of which were adopted during the 2011 Regular Session and the 2011 Special Session, respectively, of the Georgia General Assembly.

United States Department of Justice
January 19, 2012

Page 2

You should receive official notice of this decision directly from the Chair of the School Board in writing within the next few days.

Finally, please be advised that I no longer serve as local legal counsel to the Board, so until further notice, all correspondence with the School Board regarding such pre-clearance matters should be directed to the School Superintendent, as follows:

Dr. Roy Brooks, Superintendent
Sumter County Board of Education
100 Learning Lane
Americus, Georgia 31719
Telephone: (229) 931-8500

Thank you for your consideration.

Very truly yours,



James M. Skipper, Jr.

JMSjr:bml

cc: Dr. Roy Brooks, Superintendent
Sumter County Board of Education

Shaffer, Tracy L (CRT)

From: Maurice Luther King, Jr. (b)(7)(C)
Sent: Tuesday, January 31, 2012 3:14 PM
To: vot1973c (CRT)
Subject: Submission of Sumter County Board of Education 2011-3249 and 2011-4261

January 31, 2012

T. Christian Herren, Jr.
Chief, Voting Section
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Joseph E. Murray
Voting Section
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

RE: Submission of Sumter County Board of Education
Pre-Clearance of Redistricting Plan Under 2010 Census
Submission Under Section 5 of the Voting Rights Act
File No.: 2011-3249 and 2011-4261

Dear Gentlemen:

On January 18, 2012, a majority of the board members for the Sumter County Board of Education voted to request that their attorney withdraw their submission to the United States Department of Justice. The purpose of this letter is to confirm that the submission has been withdrawn.

Under Georgia law, the votes of a majority of the members of the school board decide issues for the school board. O.C.G.A. §20-2-57 (a), in relevant part, states: "A majority of the local board shall constitute a quorum for the transaction of business. The votes of a majority of the members present shall be necessary for the transaction of any business or discharge of any duties of the local board of education, provided there is a quorum present."

Please note that any future correspondence regarding the above-referenced matter should be directed to my office as I am now the school board attorney for the Sumter County Board of Education.

Sincerely,

THE LAW OFFICES OF MAURICE LUTHER KING, JR., P.C.

MAURICE LUTHER KING, JR.
ATTORNEY AT LAW
MLK,jr:sdj
C: Ms. Edith Green, Chairperson, Sumter County Board of Education

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The Law Offices of Maurice Luther King, Jr., P.C.

Albany, Georgia 31708-2071

(229) 639-0619

Fax: (229) 639-0837

Email: (b)(7)(C)

SECTION 5 SUBMISSION

NO. 2011-4261

FAX COVER SHEET

FAX NUMBER TRANSMITTED TO: 202-307-9934

To: Mr. Joseph Murray

From: Maurice King

**Matter: Sumter County Georgia School District, File # 2011-3249
and 2011-4261**

Date: 2/1/2012

DOCUMENTS	NUMBER OF PAGES*
Fax Sheet	1
Letter	1

COMMENTS:

Dear Mr. Murray:

Please see the attached.

Sincerely,

Maurice Luther King, Jr.

2012 FEB - 1 PM 1:44

CIVIL RIGHTS DIVISION
FEB 1 2012

CONFIDENTIALITY NOTICE: The information contained in this fax message is legally privileged confidential information which is intended only for the party it is sent to. If the recipient of this fax is not the party it was sent to, you are hereby notified that any dissemination, distribution, or copy of this fax is strictly prohibited. If this transmission is received in error, please call (229) 639-0619 immediately upon receipt. Thank you.

The
LAW OFFICES OF MAURICE LUTHER KING, JR., P.C.

609 Pine Avenue
ALBANY, GEORGIA 31701
TELEPHONE (229) 639-0619
TELECOMER (229) 639-0837
E-mail (b)(7)(C)

MAURICE L. KING, JR., J.D., M.P.A.

MAILING ADDRESS:
POST OFFICE BOX 124
ALBANY, GEORGIA 31708-24

January 31, 2012

T. Christian Herren, Jr.
Chief, Voting Section
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Joseph E. Murray
Voting Section
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

RE: Submission of Sumter County Board of Education
Pre-Clearance of Redistricting Plan Under 2010 Census
Submission Under Section 5 of the Voting Rights Act
File No.: 2011-3249 and 2011-4261

Dear Gentlemen:

On January 18, 2012, a majority of the board members for the Sumter County Board of Education voted to request that their attorney withdraw their submission to the United States Department of Justice. The purpose of this letter is to confirm that the submission has been withdrawn.

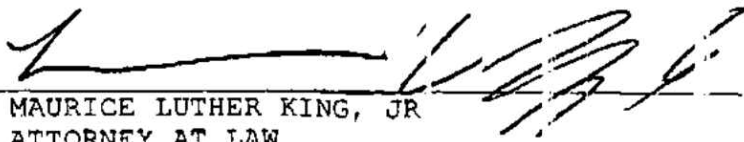
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Please note that any future correspondence regarding the above-referenced matter should be directed to my office as I am now the school board attorney for the Sumter County Board of Education.

Sincerely,

THE LAW OFFICES OF MAURICE LUTHER KING, JR., P.C.

BY:


MAURICE LUTHER KING, JR.
ATTORNEY AT LAW

MLK,jr:sdj

C: Ms. Edith Green, Chairperson, Sumter County Board of Education

McCorkle, Perry C (CRT)**NO**

From: Maurice Luther King, Jr. [(b)(7)(C)]
Sent: Wednesday, February 01, 2012 2:21 PM
To: vot1973c (CRT)
Subject: Submission of Sumter County Board of Education File No.: 2011-3249 and 2011-4261

February 1, 2012

T. Christian Herren, Jr.
Chief, Voting Section
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Joseph E. Murray
Voting Section
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

RE: Submission of Sumter County Board of Education
Pre-Clearance of Redistricting Plan Under 2010 Census
Submission Under Section 5 of the Voting Rights Act
File No.: 2011-3249 and 2011-4261

Dear Gentlemen:

The purpose of this letter is to formally notify the United States Department of Justice that the Sumter County Board of Education, by majority vote on about January 18, 2012, voted to withdraw the submission in the above-referenced matter, and hereby withdraws the submission.

If this letter is not sufficient to withdraw the above-referenced submission, please let me know. Also, I have enclosed a copy of a letter addressed to some of the board members who voted to withdraw the submission.

If you should have any questions and/or comments regarding same, or if something is amiss, please feel free to write or call me.

Sincerely,

THE LAW OFFICES OF MAURICE LUTHER KING, JR., P.C.

BY: MAURICE LUTHER KING, JR.
ATTORNEY AT LAW

MLK,jr:sdj
Enclosure
C: Ms. Edith Green, Chairperson, Sumter County Board of Education
(w/enclosure)

NOTICE: This email and all attachments are CONFIDENTIAL and intended SOLELY for the recipients as identified in the "To", "Cc" and "Bcc"

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THE LAW OFFICES OF MAURICE LUTHER KING, JR., P.C.
Albany, Georgia 31708-2071
(229) 639-0619
Fax: (229) 639-0837
Email: (b)(7)(C)

FAX COVER SHEET

FAX NUMBER TRANSMITTED TO: 202-307-9934

To: Mr. Joseph Murray
From: Maurice Luther King, Jr.
Matter: Sumter County Georgia School District File Nos. 2011-3249 & 4261
Date: 02/01/2012

DOCUMENTS	NUMBER OF	PAGES
Fax Sheet	1	
Letter	1	
Attachment	1	

COMMENTS:

Dear Mr. Murray:

Please see attached. Thank you.

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CIVIL RIGHTS DIVISION
FEB - 1 PM 6:06

The
LAW OFFICES OF MAURICE LUTHER KING, JR., P.C.

605 Pine Avenue
ALBANY, GEORGIA 31701
TELEPHONE (229) 639-0679
TELECOMMER (229) 629-0837
E-mail (b)(7)(C)

MAURICE L. KING, JR., J.D., M.P.A.

MAILING ADDRESS:
POST OFFICE BOX 7201
ALBANY, GEORGIA 31708-2001

February 1, 2012

T. Christian Herren, Jr.
Chief, Voting Section
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Joseph E. Murray
Voting Section
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

RE: Submission of Sumter County Board of Education
Pre-Clearance of Redistricting Plan Under 2010 Census
Submission Under Section 5 of the Voting Rights Act
File No.: 2011-3249 and 2011-4261

Dear Gentlemen:

The purpose of this letter is to formally notify the United States Department of Justice that the Sumter County Board of Education, by majority vote on about January 18, 2012, voted to withdraw the submission in the above-referenced matter, and hereby withdraws the submission.

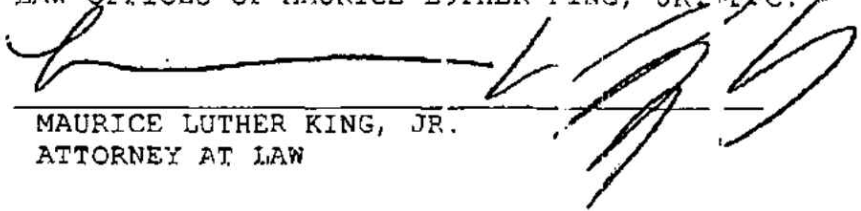
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If you should have any questions and/or comments regarding same, or if something is amiss, please feel free to write or call me.

Sincerely,

THE LAW OFFICES OF MAURICE LUTHER KING, JR., P.C.

BY:


MAURICE LUTHER KING, JR.
ATTORNEY AT LAW

MLK,jr:sdj

Enclosure

C: Ms. Edith Green, Chairperson, Sumter County Board of Education
(w/enclosure)



U.S. Department of Justice
Civil Rights Division

TCH:RSB:JR:JEM:maf
DJ 166-012-3
2011-3249
2011-4261

Voting Section - NWB
950 Pennsylvania Avenue, NW
Washington, DC 20530

February 15, 2012

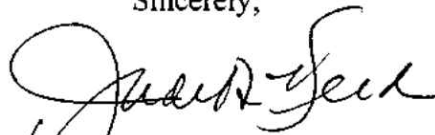
Maurice Luther King, Jr., Esq.
P.O. Box 72071
Albany, Georgia 31708-2071

Dear Mr. King:

This refers to Act No. 7EX (S.B. 4EX)(2011), which provides for the 2011 redistricting plan; and Act No. 184 (S. B. 154) (2011), which provides for the change in the method of election from nine single member districts to five single member districts coterminous with commissioner districts and two seats at-large; the reduction in the number of trustees from nine to seven and the implementation schedule; and the change in staggering of terms, for the Sumter County School District in Sumter County, Georgia, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973c. We received your submissions on November 1, 2011; additional information was received on February 1, 2012.,

Your January 31, 2012, letter withdraws these submission from Section 5 review. Accordingly, no determination by the Attorney General is required concerning these matters. Procedures for the Administration of Section 5 of the Voting Rights of 1965, 28 C.F.R. 51.25(a).

Sincerely,



T. Christian Herren, Jr.
Chief, Voting Section



Civil Rights Division

TC HRSB:JR:JEM:par
DJ 166-012-3
201 1-3249
201 1-4261

Voting Section - NWB
950 Pennsylvania Avenue, NW
Washington, DC 20530

October 17, 2011

James M. Skipper, Jr., Esq.
Gatewood, Skipper & Rambo
P.O. Box 488
Americus, Georgia 31709

Re: Your File No. 8421/770J

Dear Mr. Skipper:

This refers to Act No. 184 (SB 154) (2011), which provides for a change in the method of election from nine single member districts to five single member districts coterminous with commissioner districts and two seats at-large; a reduction in the number of trustees from nine to seven and the implementation schedule; and a change in the staggering of terms, for the Sumter County School District in Sumter County, Georgia, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973c. We received your submission on August 18, 2011; additional information was received on October 11, 2011.

We understand that the school board districting plan has been enacted and signed by the governor. Our records do not indicate that this change affecting voting has been submitted to the United States District Court for the District of Columbia for judicial review or to the Attorney General for administrative review as required by Section 5 of the Voting Rights Act of 1965. Accordingly, it must either be brought before that federal district court or submitted to the Attorney General for a determination that it has neither the purpose nor will have the effect of discriminating on account of race, color, or membership in a language minority group. Changes that affect voting are legally unenforceable unless and until the appropriate Section 5 determination has been obtained. *Clark v. Roemer*, 500 U.S. 646 (1991); Procedures for the Administration of Section 5 of the Voting Rights Act of 1965, 28 C.F.R. 51.10.

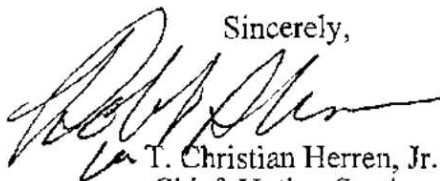
Because the changes now before us and the unsubmitted changes are directly related, they must be reviewed simultaneously. Accordingly, it would be inappropriate for the Attorney General to make a determination on the instant changes until the related changes have been submitted for Section 5 review. 28 C.F.R. 51.22(b) and 51.35.

Should you elect to make a submission to the Attorney General for administrative review rather than seek a declaratory judgment from the District Court for the District of Columbia, it should be made in accordance with Subparts B and C of the Procedures. At that time we will review all changes simultaneously; however, any documentation previously provided need not be resubmitted.

-2-

To enable us to meet our responsibility to enforce the Voting Rights Act, please inform us of the action the Sumter County School District plans to take concerning these matters. If you have any questions, you should call Joseph E. Murray (202-616-2340) of our staff. Refer to File Nos. 2011-3249 and 2011-4261 in any response to this letter so that your correspondence will be channeled properly.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Christian Herren, Jr.", written in a cursive style.

T. Christian Herren, Jr.
Chief, Voting Section